

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DEREK FOLLEY,

Petitioner,

: Case No. 3:22-cv-065

- vs -

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

KEITH J. FOLEY, Warden,

:

Respondent.

**DECISION AND ORDER DENYING MOTION FOR EVIDENTIARY
HEARING**

This habeas corpus case, brought *pro se* by Petitioner Derek Folley under 28 U.S.C. § 2254, is before the Court on Folley's Motion for an Evidentiary Hearing on his Speedy Trial claim (ECF No. 94). The Motion is denied on the authority of *Cullen v. Pinholster*, 563 U.S. 170 (2011), and *Shinn v. Martinez Ramirez*, 596 U.S. ___, 142 S.Ct. 1718 (2022).

July 15, 2022.

s/ Michael R. Merz
United States Magistrate Judge